



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/927,656	08/10/2001	Ephraim Feig	048772-1101	6554
30542 7590 04/18/2007 FOLEY & LARDNER LLP P.O. BOX 80278 SAN DIEGO, CA 92138-0278			EXAMINER NGUYEN, NGA B	
			ART UNIT 3692	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			04/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/927,656

Applicant(s)

FEIG ET AL.

Examiner

Nga B. Nguyen

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is the answer to the Amendment filed on October 9, 2006, which paper has been placed of record in the file.
2. Claims 1-22 are pending in this application.

Response to Arguments/Amendment

3. Applicant's arguments with respect to claims 1-22 have been considered but are not persuasive.

In response to the applicant arguments that King does not disclose "identifying, based on the responses, at least one cause of interest to the person", examiner submit that see page 3, "Cyberplaquing", "...with a cyberplaque, historical information about a company or a biography about the person can be provided. Different levels of donations may earn differing levels of recognition, including perhaps pictures of donors, dedications, testimonials, and in-depth information. Benefactors have an "online brag sheet" of sorts, which can be used to encourage their friends and colleagues to match their own contribution." Thus, the information provided by "Cyberplaquing", that encourages their friends and colleagues to match their own contribution, is considered "at least one cause of interest to the person." Moreover, see page 3, "Outside donation services", the donor can access searchable database of nonprofits (more than 600,000 organizations), the library's fundraising site provides a link to an outside donation service", the donor can select the organization of interest to the donor to make donation. Thus, the searchable database provided by the library's fundraising site is considered

Art Unit: 3692

“at least one cause of interest to the person”. Therefore, *King does teach “identifying, based on the responses, at least one cause of interest to the person.”*

In conclusion, for the reason set forth above, examiner decides to maintain the previous rejection and make this Office action FINAL.

4. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 3692

6. Claims 1-11, 13-20, and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by David King, "Soliciting Virtual Money", Library Journal netConnect Supplement, August 10, 2000 (hereinafter King).

Regarding to claim 1, King discloses a web-based, interactive method for determining a person's interest with respect to charitable, philanthropic or political causes and for soliciting donations, the method having a graphical user interface including a display, comprising: asking a first question related to the causes; receiving a response to the first question from the person; determining, based on the response, if subsequent questions are necessary to identify one or more causes of interest to the person; asking one or more subsequent questions, if necessary, based on the prior response; identifying, based on the responses, at least one cause of interest to the person; and asking for a donation based on identification of the at least one cause (page 2, lines 40-45, e.g. Notional Library Week created a web event, participants could check the library's home page each day for five days to answer a series of questions highlighting a particular library service or program and send their answer to the library; page 2, lines 10-20, asking for online donation; page 3, "Cyberplaqing" and "Outside donation services"), .

Regarding to claim 2, King further discloses receiving a donation on-line (page 2, lines 10-20, asking for online donation).

Regarding to claim 3, King further discloses wherein the recited steps are conducted during an on-line event on the Internet (page 2, lines 25-30, placing an event online and asking for donation).

Art Unit: 3692

Regarding to claim 4, King further discloses wherein the recited steps are conducted during a web-cast on the Internet (page 2, lines 45-48, e.g. a graphic link was placed prominently on the library's homepage).

Regarding to claim 5, King further discloses providing information about the charities (page 2, lines 25-30, e.g. the web event is create to publicize an upcoming program and to provide good public relations for the library).

Regarding to claim 6, King further discloses further comprising providing at least one link to a web page of the selected cause (page 2, lines 15-20, e.g. The New York Public Library provides a link to "Contributions and Membership" right on the homepage).

Regarding to claim 7, King further discloses retrieving the selected web page (page 2, lines 15-20, The New York Public Library provides a link to "Contributions and Membership" right on the homepage, the contribution page describes why the library needs donations, by clicking on a Contribute Now link, the user accesses an online pledge form).

Regarding to claim 8, King further discloses wherein the questions influence an individual to make a donation (page 2, lines 40-45, e.g. Notional Library Week created a web event, participants could check the library's home page each day for five days to answer a series of questions highlighting a particular library service or program and send their answer to the library).

Regarding to claim 9, King further discloses wherein the selected web pages includes information that influences an individual to make a donation (page 2, lines 15-

Art Unit: 3692

20, The New York Public Library provides a link to "Contributions and Membership" right on the homepage, the contribution page describes why the library needs donations).

Regarding to claim 10, King further discloses further comprising displaying information about other donors that have donated to the causes (page 3, lines 5-20).

Regarding to claim 11, King further discloses displaying a virtual plaque honoring the donors (page 3, lines 5-20).

Claims 13-20 are written in means that parallel the limitations found in claims 1-4, 8-11 above, therefore, are rejected by the same rationale.

Claim 22 contains similar limitations found in claim 1 above, therefore, are rejected by the same rationale.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 12 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over David King, "Soliciting Virtual Money", Library Journal netConnect Supplement, August 10, 2000 (hereinafter King).

Regarding to claims 12 and 21, King does not disclose updating the virtual plaque to honor new donors. However, updating information is well known in the art. Therefore,

Art Unit: 3692

it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify King's to incorporate feature above for the purpose of updating the latest information about new donors, for the purpose of encouraging people to match their own contributions.

Conclusion

9. Claims 1-22 are rejected.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard E. Chilcot can be reached on (571) 272-6777.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

11. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
C/o Technology Center 3600
Washington, DC 20231

Or faxed to:

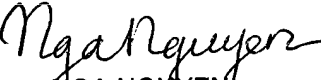
(571) 273-8300 (for formal communication intended for entry),

Art Unit: 3692

or

(571) 273-0325 (for informal or draft communication, please label
"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox Building, 501 Dulany
Street, Alexandria, VA, First Floor (Receptionist).


NGA NGUYEN
PRIMARY EXAMINER

April 12, 2007